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<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/661,842	SHEEHAN ET AL.	
	Examiner	Art Unit	
	Johnnie L Smith II	2881	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11/12/2004.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ The drawings filed on 26 June 2004 and 12 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on 11/12/2004 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of application number 10/688/021, has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Allowable Subject Matter***

2. Claims 1-19 are allowed.
3. The following is an examiner's statement of reasons for allowance: the prior art searched and cited failed to teach or fairly suggest an apparatus or method for the collection and focusing of gas-phase ions at or near atmospheric pressure for the introduction of said ions into an analytical apparatus, the apparatus having a stratified body comprised of a plurality of elements, said elements comprise alternating layers of metal electrodes and insulating material, each said electrode having successively smaller apertures wherein said apertures form an ion-funnel having an entry at largest aperture of first metal electrode and an exit at smallest aperture of last metal electrode, said smallest aperture forming inlet aperture into

said analytical apparatus in combination with the remaining elements of claims 1 and 12. Claims 2-5 and 13-14 are allowable because of their dependencies upon claims 1 or 12. The prior art searched and cited failed to teach or fairly suggest an apparatus or method for the collection and focusing of gas-phase ions or charged particles at or near atmospheric pressure for the introduction of said ions into the vacuum system of a mass spectrometer comprising a stratified body comprised of a plurality of elements, said elements comprise alternating layers of metal and insulating laminates, each said element having successively smaller apertures wherein said apertures form an ion-funnel having an entry at the largest aperture of first metal laminate and an exit at the smallest aperture of last metal electrode said smallest aperture forming inlet aperture into said vacuum system, whereby approximately all said ions from said ion source pass unobstructed into said vacuum system of said mass spectrometer in combination with the remaining elements of claims 6 and 15. Claims 7-11 and 16-19 are allowable because of their dependencies on claims 6 or 15.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnnie L Smith II whose telephone number is 571-272-2481. The examiner can normally be reached on Monday-Thursday 7-4 P.M. and Alternate Fridays.

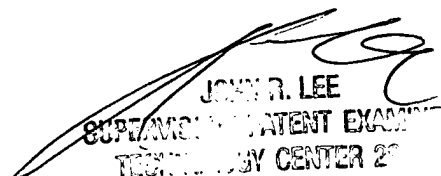
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R Lee can be reached on 571-272-2477. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Johnnie L Smith II

Johnnie L Smith II  
Examiner  
Art Unit 2881



JOHN R. LEE  
SUPERVISOR  
ELECTRONIC BUSINESS CENTER 2